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Our Ref.: 2018-468  
Serial No.: 09/988,179 Date: June 22, 2004

To: Examiner Andrew Dolinar  
Firm: United States Patent and Trademark Office  
Facsimile No.: (703) 746-4535  
From: Raymond Y. Mah

Number of Pages (including cover sheet): \_\_\_\_\_  
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Sarah Lanning  
FACSIMILE OPERATOR

ATTACHMENT/S:

MESSAGE:

Dear Examiner Dolinar:

Per our earlier discussion, I have attached comments in preparation of the interview. I look forward to meeting with you.

**BEST AVAILABLE COPY****CONFIDENTIALITY NOTE**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

HIRATA, Sanac

Atty. Ref.: 2018-468; Confirmation No. 8159

Appl. No. 09/988,179

Group: 3747

Filed: November 19, 2001

Examiner: A. Dolinar

For: **ELECTRONIC CONTROL SYSTEM AND METHOD MONITOR PROGRAM  
MONITORING FUNCTION**

\* \* \* \* \*

June 22, 2004

**FOR DISCUSSION PURPOSES ONLY**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMENTS IN PREPARATION FOR INTERVIEW**

The Examiner is thanked for extending the courtesy of an interview to Applicant's representative.

Claims 1-3 and 5-9 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ohashi et al (U.S. '094, hereinafter "Ohashi") in view of Sugita et al (U.S. '603, hereinafter "Sugita"). Applicant respectfully traverses this rejection.

Claim 1 requires that a timer setting means is reset (i.e., set for a new time count) in a situation where three conditions are met: (1) the second microcomputer is operating normally, (2) the monitor program is executed normally, and (3) the interval of executing the monitor program is within an acceptable range.

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**HIRATA, Sanae**  
**Appl. No. 09/988,179**  
**June 22, 2004**

Ohashi discloses a second computer being checked by a first computer if the second computer is operating normally, and a monitoring program 14 being checked by a watch dog timer (WDT) 16 to determine if it is operating normally by checking the presence of a watch dog pulse at a predetermined interval. Accordingly, Ohashi fails to teach or suggest whether a monitor program execution interval is within an acceptable range. Sugita fails to remedy this deficiency of Ohashi.

Exemplary embodiments of the present invention are therefore concerned about the execution interval of the monitoring program as well as the normal operation of the monitoring program. The monitoring program is supposed to be executed in a predetermined interval (e.g., about 16 ms in an exemplary embodiment). An acceptable range (i.e., an acceptable time window of 60 ms to 68 ms in an exemplary embodiment) is set to determine whether the program is executed in a predetermined time interval. In contrast, Ohashi merely describes checking a periodic watch dog pulse, not an execution interval of the monitoring program.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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